

2012 DEC 20 PM 2:49

In the Matter of )  
 )  
Freedom and Prosperity PAC f/k/a John )  
Dennis for Congress and Kelly Lawler, )  
in her official capacity as treasurer )

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that in the executive session held on December 18, 2012, the Commission took the following actions in the above-captioned matter:

1. Failed on a vote of 3-3 to:
  - a. Open a MUR in RR 12L-03.
  - b. Find reason to believe that Freedom and Prosperity PAC f/k/a John Dennis for Congress and Kelly Lawler, in her official capacity as treasurer, violated 2 U.S.C. § 434(b).
  - c. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated May 14, 2012.
  - d. Enter into conciliation with Freedom and Prosperity PAC f/k/a John Dennis for Congress and Kelly Lawler, in her official capacity as treasurer, prior to a finding of probable cause to believe.
  - e.
  - f. Approve the appropriate letter.

**Commissioners Hunter, McGahn II, and Petersen dissented.**

2. Decided by a vote of 5-1 to:
- a. Open a MUR in RR 12L-03.

MUR # 6705

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- b. Find reason to believe that Freedom and Prosperity PAC f/k/a John Dennis for Congress and Kelly Lawler, in her official capacity as treasurer, violated 2 U.S.C. § 434(b).
- c. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated May 14, 2012, subject to technical and conforming edits consistent with the meeting discussion.
- d. Enter into conciliation with Freedom and Prosperity PAC f/k/a John Dennis for Congress and Kelly Lawler, in her official capacity as treasurer, prior to a finding of probable cause to believe and instruct the Office of the General Counsel to negotiate pro-compliance measures.
- e. --
- f. Approve the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Weintraub voted affirmatively for the decision. Commissioner Walther dissented.

Attest:

December 20, 2012  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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